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FM AMEMBASSY NEW DELHI
TO RUCPDOC/USDOC WASHDC
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INFO RUEHC/SECSTATE WASHDC 7073

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USDOC FOR 532/OEA/M. NICKSON-D/JAY HATFIELD
USDOC FOR 3131/USFCS/OIO/ANESA/KREISSL
USDOC FOR 4530/MAC/ANESA/OSA
ICE HQ FOR STRATEGIC INVESTIGATIONS
STATE FOR EB/ESP

E.O. 12958: N/A

TAGS: [ETTC](#) [ETRD](#) [BEXP](#) [IN](#)

SUBJECT: EXTRANCHECK: PRE-LICENSE CHECK: NUCLEAR FUEL COMPLEX,
HYDERABAD, LICENSE D374030

REF: USDOC 04315

¶1. Unauthorized disclosure of the information provided below is prohibited by Section 12(c) of the Export Administration Act.

¶2. BIS requested a Pre-license Check (PLC) at Nuclear Fuel Complex (PLC), Department of Atomic Energy (DAE), Government of India (GOI), website: www.nfc.gov.in. NFC was listed as the Ultimate Consignee for multi-lots of data necessary for production of zirconium tubing controlled under Export Control Classification Number 1C234 of the Commerce Control List. The license applicant was General Electric Company, acting through GE - Aviation, Cincinnati, Ohio.

¶3. On May 21, 2007, BIS New Delhi sent an official letter to Under Secretary (AMS) Prashant Agrawal (Agrawal), GOI Ministry of External

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Affairs (MEA) requesting that he arrange the PLC at NFC.

¶4. On June 19, June 25, June 28 & July 16, 2007, BIS New Delhi sent emails to Agrawal requesting the status of scheduling this PLC. In a July 17, 2007 telephone conversation, Agrawal stated that the Indian Department of Atomic Energy (DAE) feels that this PLC is unjustified because NFC is using the controlled item (information/specifications) to produce zirconium tubing that will be exported to General Electric in the United States. Therefore, DAE is refusing to allow this PLC to be carried out.

¶5. Recommendation: The PLC request is currently 64 days old and 36 days past the EUVA deadline. MEA is unable to arrange this PLC due to the intransigence of DAE. In view of these facts, the case is closed with a finding of "unfavorable." (PCUSHMAN/PNARAYAN) White